

BOARD OF APPEAL REFERRALS

May 6, 1982

1. Z-5585 Gulf Oil Company  
807-819 Columbia Road, Dorchester
2. Z-5588 Lenneth Russell  
245 Kennebec Street, Mattapan
3. Z-5606 Donald A. Walsh  
268 Savin Hill Avenue, Dorchester
4. Z-5607 Acme Body & Paint Co.  
3430 Washington Street, Jamaica Plain
5. Z-5610 Mary E. P. Sullivan  
29 Aldie Street, Allston
6. Z-5614 Unitarian Universalist Service Committee, Inc.  
78 Beacon Street, Boston
7. Z-5615 Elizabeth Prevett, Trustee  
12-16 Cooper Street, Boston
8. Z-5618 Salem Engineering and Construction Corp. - Edward Beshara, Pres.  
25 Church Street, Boston
9. Z-5619 Chardon Realty Corp. - Martin B. Hoffman, President  
151 Beverly Street, Boston
10. Z-5620 Konstantinos Frantzis  
11 South Fairview Street, Roslindale
11. Z-5624 John A. Zappala  
77 Chestnut Street, Boston
12. Z-5630 Abraham S. Caplan, Abram Salter - Burberrys Limited  
16 Arlington and 2-2a Newbury Street, Boston
13. Z-5631 Raffaele Martignetti  
22 Spring Valley Road, West Roxbury
14. Z-5633 Robert M. Luke, Trustee  
42-46 Charles Street, Dorchester
15. Z-5635 John Queally  
715 East Seventh Street, South Boston
16. Z-5636 John F. Carey  
203-209 Green Street, Jamaica Plain
17. Z-5637 James J. Gaffney  
37 Fenton Street, Dorchester
18. Z-5638-5639 John R. Bianco  
65-67 Sullivan Street, Charlestown

MEMORANDUM

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert J. Ryan, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

May 6, 1982

Hearing: 5/11

Z-5585  
Gulf Oil Company  
807-819 Columbia Rd, Dorchester  
at Dorchester Ave

Gas service station

|              |                    |                           |                    |
|--------------|--------------------|---------------------------|--------------------|
| District(s): | apartment_____     | general business_____     | industrial_____    |
|              | residential_____   | local business <u>L-1</u> | waterfront_____    |
|              | single family_____ |                           | manufacturing_____ |

Purpose: Increase capacity of gasoline storage - 18,000 to 32,000 gallons

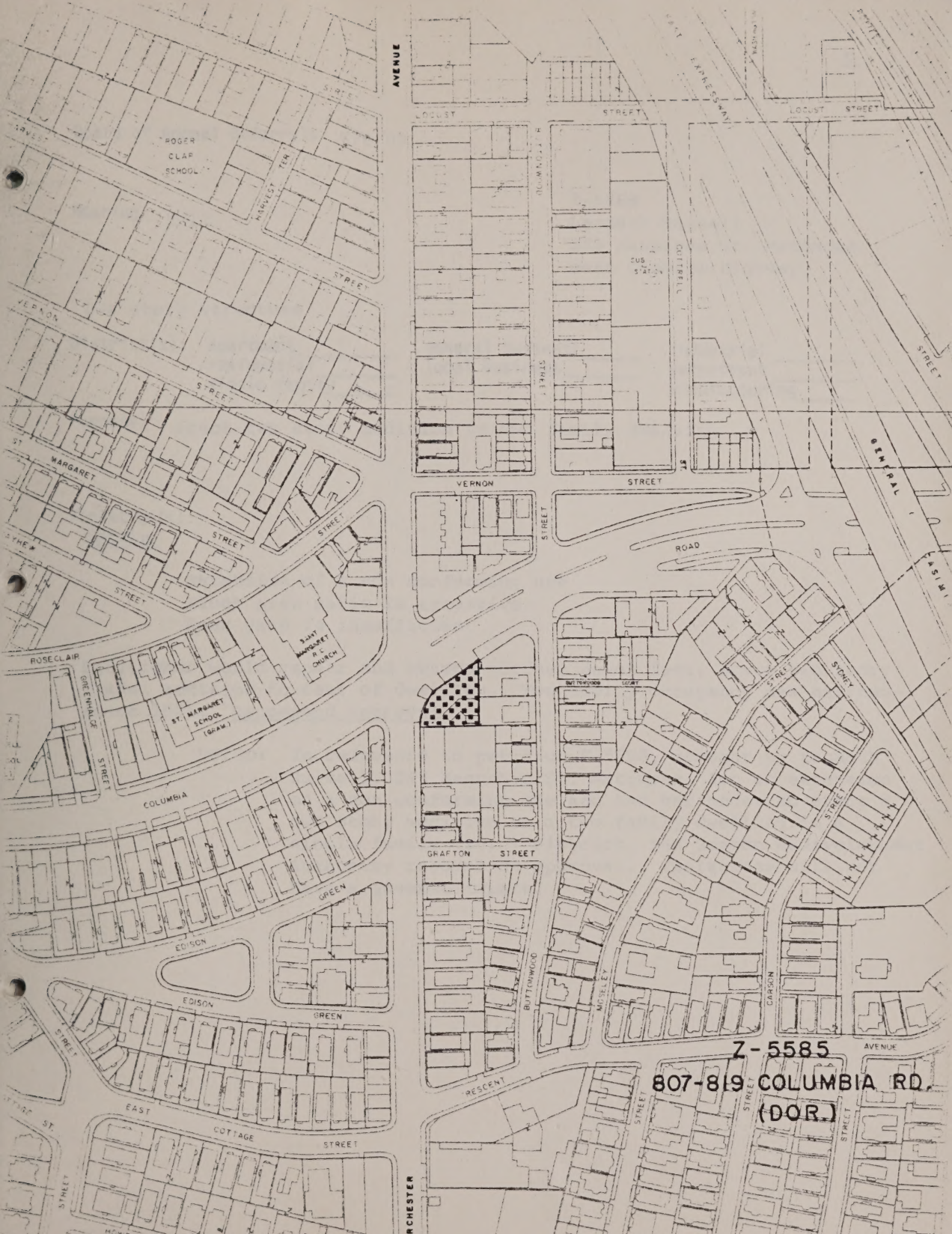
Violation(s):  
Section

Change in conditional use

Four new 8000 gallon tanks will replace existing tanks which are over 23 years old and obsolete. No neighborhood response. Recommend approval with proviso.

VOTED: In reference to petition Z-5585, brought by Gulf Oil Company, 807-819 Columbia Road, Dorchester, for a conditional use to increase capacity of gasoline storage from 18,000 to 32,000 gallons in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided facility complies with Board of Appeal guidelines for gas service stations.





AVENUE

LOCUST STREET

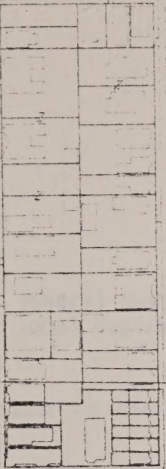
STREET

LOCUST STREET

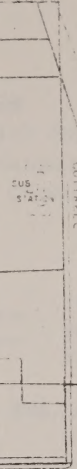
ROGER CLARK SCHOOL

HIGHLY

STREET



VERNON STREET



STREET

OUTRILL

LOCUST STREET

STREET

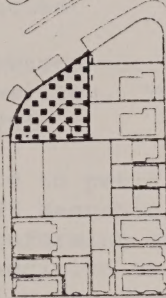
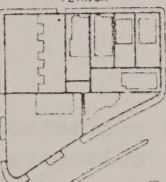
GENERAL

CASIN

VERNON

STREET

ROAD



GRAFTON STREET

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BUTTERWOOD

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STREET

COLUMBIA

GREEN

GREEN

EDISON

EDISON

EAST

COTTAGE

STREET

RESCENT

Z-5585

807-819 COLUMBIA RD.

(DOR.)

AVENUE

ROCHESTER

Board of Appeal Referrals 5/6/82

Hearing: 5/11

Z-5588  
Lenneth Russell  
245 Kennebec St, Mattapan  
near Cummins Highway

Two story structure

District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family S-5 manufacturing \_\_\_\_\_

Purpose: erect two story addition to two family dwelling

Violation(s):  
Section

Extension of a non conforming use  
Floor area ratio is excessive  
Rear yard is insufficient

Petitioner would repair and extend porches seven feet, erect two story 7'x14' addition to rear of dwelling. Two family occupancy has existed since 1921. Recommend approval.

VOTED: In reference to petition Z-5588, brought by Lenneth Russell, 245 Kennebec St, Mattapan, for an extension of a non conforming use and two variances to erect a two story addition to a two family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. Violations will not have a adverse impact.



Z-5588

245 KENNEBEC ST

(MATT.)



Board of Appeal Referrals 5/6/82

Hearing: 5/18

Z-5606  
Donald A Walsh  
268 Savin Hill Ave, Dorchester  
near Wedmore St

2½ story structure

District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family S-.5 manufacturing \_\_\_\_\_

Purpose: erect full shed dormer addition to one family dwelling

Violation(s):  
Section

Rear yard is insufficient

Yard violation is technical and existing. No neighborhood objections.  
Recommend approval with proviso.

VOTED: In reference to petition Z-5606 brought by Donald A Walsh, 268 Savin Hill Avenue, Dorchester, for a variance to erect a shed dormer addition to a one family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.







Board of Appeal Referrals 5/6/82

Hearing: 5/18

Z-5607

Acme Body & Paint Co  
3430 Washington St,  
Jamaica Plain  
at Rockvale Circle

One story structure

District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential R-8 local business L-5 waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: erect one story addition to auto body & paint shop structure

Violation(s):  
Section

Auto body repair & paint shop is forbidden in R-.8 district  
and conditional in L-.5 district

Front, side, rear yards are insufficient

Petitioner has operated facility at site for thirty years. Addition  
will enclose rear area presently used for storage of vehicles. Only  
a small section of site is located in residential district. Recommend  
approval with provisos.

VOTED: In reference to petition Z-5607 brought by Acme  
Body & Paint Co., 3430 Washington St, Jamaica Plain,  
for a forbidden use, a conditional use and three  
variances to erect a one story addition to auto body  
repair and paint shop in residential (R-.8) and local  
business (L-.5) districts, the Boston Redevelopment  
Authority recommends approval with the following  
provisos: that all vehicles be stored within facility;  
that adequate landscaping be provided along Rockvale  
Circle service road.



3430 WASHINGTON ST.  
(J.P.)





Board of Appeal Referrals 5/6/82

Hearing: 5/18

Z-5610  
Mary E P Sullivan  
29 Aldie St, Allston  
near Everett Street

2½ story structure

|              |                         |                        |                     |
|--------------|-------------------------|------------------------|---------------------|
| District(s): | apartment _____         | general business _____ | industrial _____    |
|              | residential <u>R-.8</u> | local business _____   | waterfront _____    |
|              | single family _____     |                        | manufacturing _____ |

Purpose: change occupancy from one to two family dwelling

Violation(s):  
Section

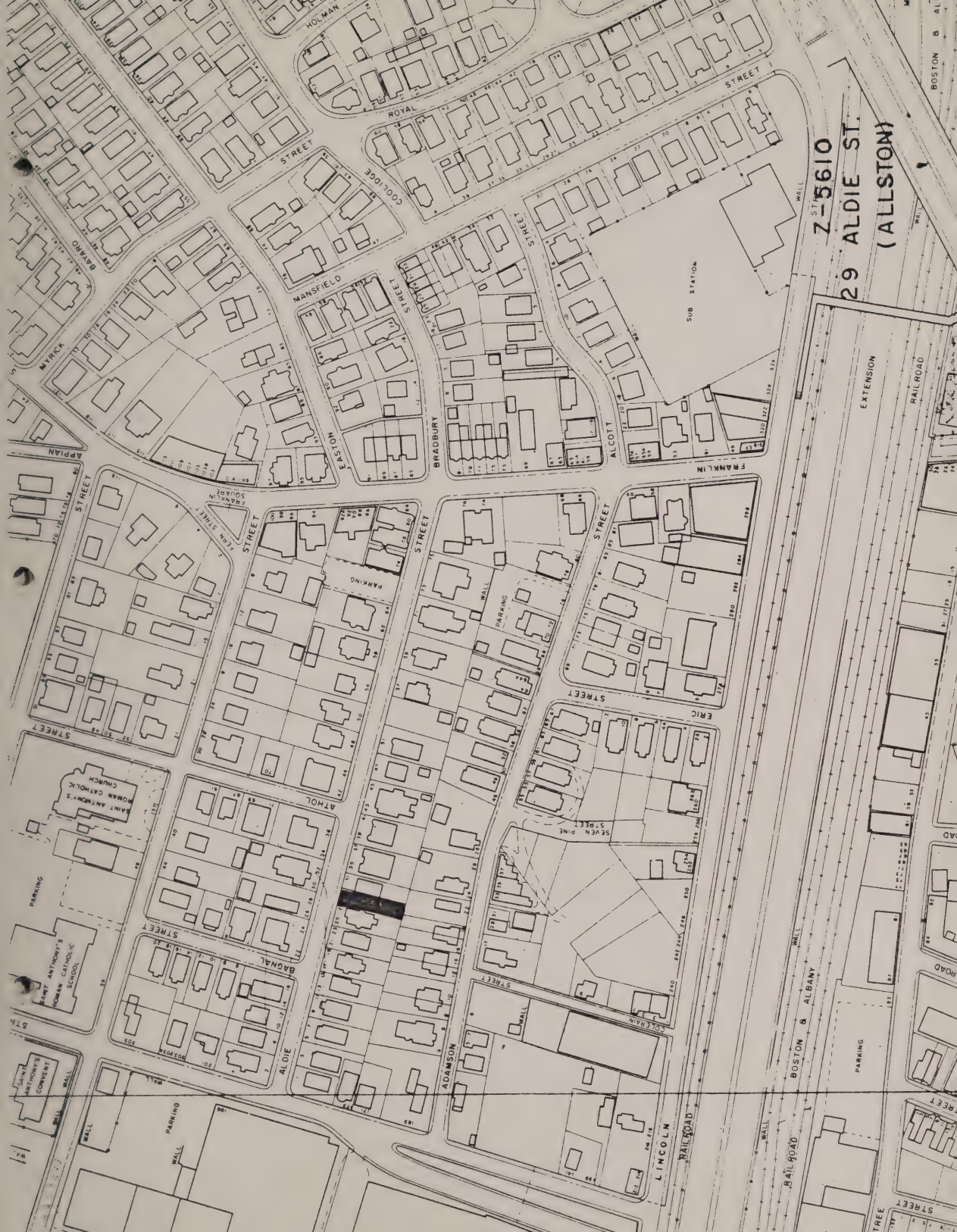
Dwelling converted for more families which does not meet the lot area requirements is a forbidden use

Lot area and open space are insufficient

Apartment will be rented to member of immediate family. Occupancy is consistent with abutting properties. Recommend approval.

VOTED: In reference to petition Z-5610 brought by Mary E P Sullivan, 29 Aldie Street, Allston, for a forbidden use and two variances for change of occupancy from one to two family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Apartment will be rented to member of immediate family. Occupancy is consistent with abutting properties.





Z-5610

29 ALDIE ST.  
(ALLSTON)

EXTENSION

RAILROAD

RAILROAD  
BOSTON & ALBANY

LINCOLN

RAILROAD

SUB STATION

FRANKLIN

STREET

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Board of Appeal Referrals 5/6/82

Hearing: 5/18

Z-5614

Unitarian Universalist Service  
Committee Inc  
78 Beacon St, Boston  
near Brimmer St

Four story structure

|              |                         |                        |                     |
|--------------|-------------------------|------------------------|---------------------|
| District(s): | apartment <u>H-2-65</u> | general business _____ | industrial _____    |
|              | residential _____       | local business _____   | waterfront _____    |
|              | single family _____     |                        | manufacturing _____ |

Purpose: change occupancy from one family dwelling to offices

Violation(s):  
Section

Offices are forbidden use

Floor area ratio is excessive

Petitioner has used structure for church offices since purchase  
in 1963. Recommend approval.

VOTED: In reference to petition Z-5614 brought by Unitarian  
Universalist Service Committee Inc, 78 Beacon St,  
Boston, for a forbidden use and variance for change of  
occupancy from one family dwelling to offices in an  
apartment (H-2-65) district, the Boston Redevelopment  
Authority recommends approval. Offices are compatible  
with residential-commercial uses in neighborhood.





Z-5614  
78 BEACON ST.  
(B.P.)

## Board of Appeal Referrals 5/6/82

Hearing: 5/11

Z-5615

Elizabeth Prevett, Trustee  
12-16 Cooper St, Boston  
near Salem St

Five story structure

|              |                      |                        |                     |
|--------------|----------------------|------------------------|---------------------|
| District(s): | apartment <u>H-3</u> | general business _____ | industrial _____    |
|              | residential _____    | local business _____   | waterfront _____    |
|              | single family _____  |                        | manufacturing _____ |

Purpose: change occupancy from nine apartments and store to thirteen apartments

## Violation(s):

Section

Dwelling converted for more families which does not meet the requirements of open space is forbidden use

Floor area ratio is excessive

Open space is insufficient

Former electrical equipment warehouse on first floor, basement and second floor space will be converted to residential use. Entire structure will be substantially renovated. No structural additions. Neighbors and abutters have no objections. Recommend approval with proviso.

VOTED: In reference to petition Z-5615 brought by Elizabeth Prevett, Trustee, 12-16 Cooper Street, Boston, for a forbidden use and two variances for change of occupancy from nine apartments and store to thirteen apartments in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.





P.V.T. JOHN  
DEFILIPPO  
PLAYGROUND

ST. MARY'S  
R.C. CHURCH  
ST. MARY'S  
RECTORY

ST. MARY'S  
PAROCHIAL  
SCHOOL

Z-5615  
12 COOPER ST  
(B.P.)

## Board of Appeal Referrals 5/6/82

Hearing: 5/11

Two story structure

Z-5618

Salem Engineering &amp; Construction Corp

Edward Beshara, President

25 Church St, Boston

near Melrose St

District(s): apartment H-2 general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: change occupancy from City of Boston Municipal Employment office to five apartments

Violation(s):

Section

Open space and off street parking are insufficient

Vacant structure would be converted to occupancy consistent with residential character of neighborhood. Recommend approval with proviso.

VOTED: In reference to petition Z-5618 brought by Salem Engineering and Construction Corp, 25 Church Street, Boston, for two variances for change of occupancy from City of Boston Municipal Employment office to five apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.





25 CHURCH ST.  
(B.P.)  
Z-5618

Board of Appeal Referrals 5/6/82

Hearing: 5/18 .

Z-5619

Chardon Realty Corp  
Martin B Hoffman, President  
151 Beverly St, Boston  
near Causeway St

Vacant land

District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing M-4

Purpose: Parking of 111 cars for fee

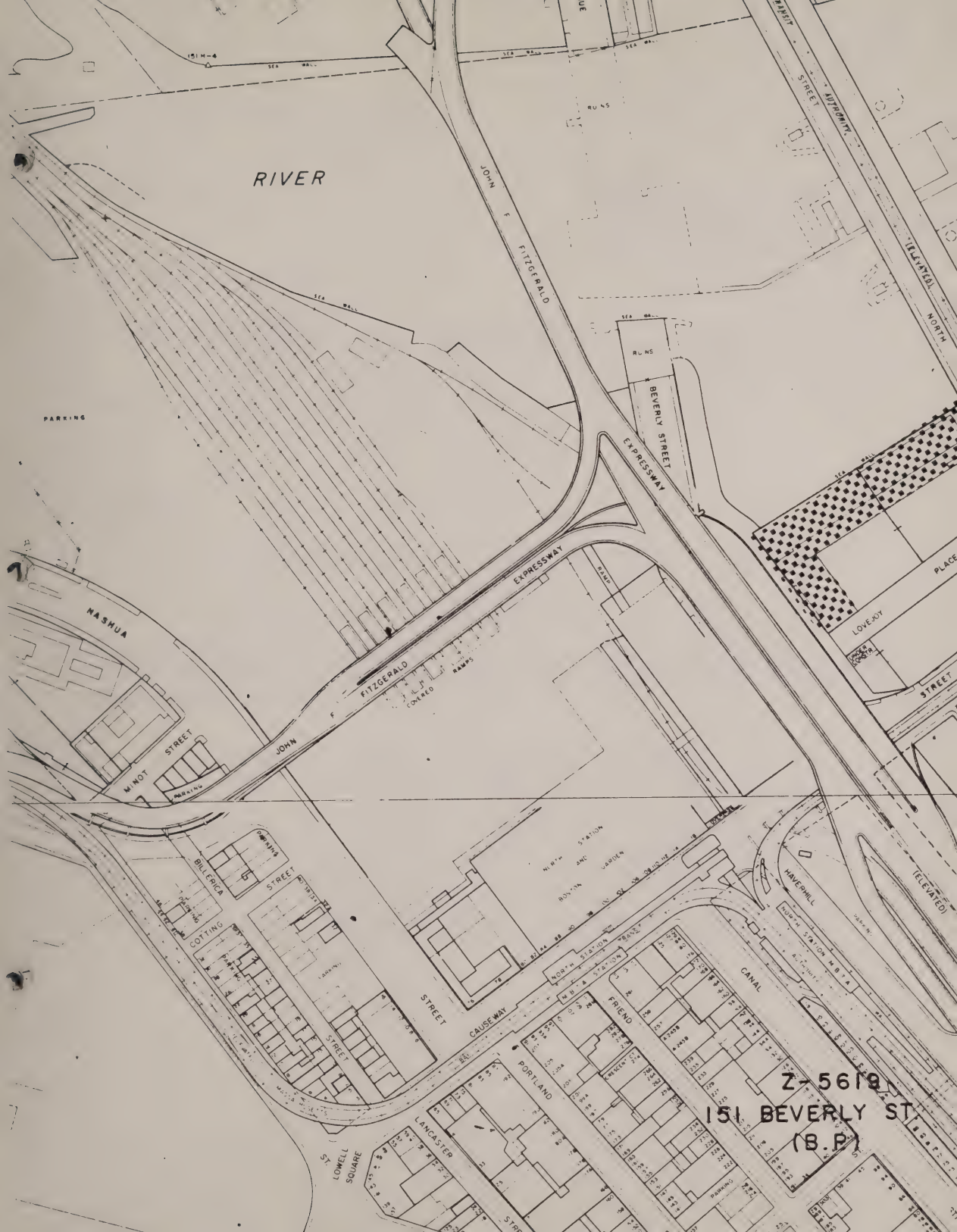
Violation(s):  
Section

Parking lot for fee is conditional in a restricted parking district

Property is located within the parking freeze area and permit must be obtained from Air Pollution Control Commission before Authority and Board of Appeal can act on petition. Further, proposed new arena plans indicate Beverly Street would be used as a service road. Recommend hearing be postponed until required Air Pollution Control Commission procedure is completed.

VOTED: In reference to petition Z-5619 brought by Chardon Realty Corp, 151 Beverly Street, Boston, for conditional use to park 111 cars for fee in a manufacturing (M-4) district, the Boston Redevelopment Authority recommends that hearing be postponed until required Air Pollution Control Commission procedure is completed. Property is located within the parking freeze area and permit must be obtained from said Commission before Authority and Board of Appeal can act on this petition. Further, new arena plans indicate Beverly Street would be used as a service road.





Board of Appeal Referrals 5/6/82

Hearing: 5/11

Z-5620

Konstantinos Frantzis

11 South Fairview St, Roslindale

near Robert St

2½ story structure

|              |                          |                       |                    |
|--------------|--------------------------|-----------------------|--------------------|
| District(s): | apartment_____           | general business_____ | industrial_____    |
|              | residential <u>RR-.5</u> | local business_____   | waterfront_____    |
|              | single family_____       |                       | manufacturing_____ |

Purpose: change occupancy from five to six apartments

Violation(s):

Section

Six family dwelling is forbidden use

Open space is insufficient

No neighborhood opposition to conversion of large residential structure proximate to Roslindale Square and City of Boston Fallon Field open space.  
Recommend approval.

VOTED: In reference to petition Z-5620 brought by Konstantinos Frantzis, 11 South Fairview St, Roslindale, for a forbidden use and variance for change of occupancy from five to six apartments in a residential RR-.5) district, the Boston Redevelopment Authority recommends approval. No neighborhood opposition to conversion of large residential structure proximate to Roslindale Square and City of Boston Fallon Field open space.





15620  
SOUTH FAIRVIEW ST  
(FOS)

Board of Appeal Referrals 5/6/82

Hearing: 5/18

Three story structure

Z-5624

John A. Zappala

77 Chestnut Street, Boston  
near Brimmer Street

District(s): apartment H-2-65 general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: erect one story penthouse addition to one family dwelling

Violation(s):

Section

Floor area ratio is excessive

Setback of parapet is insufficient

In variance with former decision of Board of Appeal

In 1979 Authority recommended approval of addition to rear of dwelling and Board of Appeal approved with proviso that no deck or the like shall be constructed on roof of property.

Proposed penthouse addition will block light and air to adjacent buildings fronting on Lime Street. Recommend denial.

VOTED: In reference to petition Z-5624 brought by John A Zappala, 77 Chestnut Street, Boston for three variances to erect one story penthouse addition to one family dwelling in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends denial. Proposed penthouse addition will block light and air to adjacent buildings fronting on Lime Street and is contrary to former Board of Appeal proviso of BZC 4568 indicating that "no deck or the like shall be constructed on roof of the property."





Board of Appeal Referrals 5/6/82

Hearing: 5/11

Five story structure

Z-5630

Abraham S Caplan, Abram Salter  
Burberrys Limited  
16 Arlington St & 2-2a Newbury  
St, Boston

District(s): apartment \_\_\_\_\_ general business B-3-65 industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: erect one story addition and five story addition to retail-office  
building

Violation(s):  
Section

Floor area ratio and height of building are excessive

Setback of parapet from rear and side lot lines is  
insufficient

Corner structure was heavily damaged by fire last year. Lessee, Burberrys, proposes substantial reconstruction and restoration. First two floors would be occupied by Burberrys for retail purposes and remaining by commercial office uses. Certificate of Design Approval has been granted by Back Bay Architectural Commission. Recommend approval.

VOTED: In reference to petition Z-5630 brought by Abraham S Caplan, Abram Salter and Burberrys Limited, 16 Arlington & 2-2a Newbury Streets, Boston, for four variances to erect one story addition and five story addition to retail-office building in a general business (B-3-65) district, the Boston Redevelopment Authority recommends approval. Poor condition of heavily damaged building and substantial reconstruction-restoration proposal justify granting of variances. Certificate of Design Approval has been granted by Back Bay Architectural Commission.



GARAGE ENTRANCE

GARDEN

PUBLIC

POND

STREET

HADASSAH WAY

STREET

ELIOT

AVENUE

CHURCH

COLUMBUS

Z-5630

16 ARLINGTON ST

2-24 NEWBURY ST

(B.P.)

STREET

STREET

PIEDMONT

ARLINGTON

STATE

C-1

AVENUE

AVENUE

STREET

STREET

ARLINGTON STREET CHURCH

FIRST LUTHERAN CHURCH

BERKELY

UNITARIAN CHURCH

STREET

WILKINSON

COMMERCE

CHURCH OF THE

UNITARIAN

NEWBURY

WOLSTON

PROVIDENCE

CITY OF BOSTON

PAYING IN A

INSURANCE CO

ST. JAMES

WALTON

JOHN

STREET

TWENTY CHURCH

Board of Appeal Referrals 5/6/82

Hearing: 5/11

1½ story structure

Z-5631

Raffaele Martignetti  
22 Spring Valley Road,  
West Roxbury  
near Spring St

|              |                           |                        |                     |
|--------------|---------------------------|------------------------|---------------------|
| District(s): | apartment _____           | general business _____ | industrial _____    |
|              | residential _____         | local business _____   | waterfront _____    |
|              | single family <u>S-.5</u> |                        | manufacturing _____ |

Purpose: Legalize occupancy - two family dwelling

Violation(s):

Section

Two family dwelling is forbidden use  
Conversion of dwelling to more families is forbidden use  
Lot area, front and rear yards are insufficient

Dwelling located at end of small dead end street will continue to be owner occupied. Apartment formerly used by family members will provide needed income. Proposal is compatible with two family dwellings and a four family dwelling on street. Recommend approval.

VOTED: In reference to petition Z-5631 brought by Raffaele Martignetti, 22 Spring Valley Road, West Roxbury, for two forbidden uses and three variances to legalize occupancy as two family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. Dwelling located at end of small dead end street will continue to be owner occupied. Apartment formerly used by family members will provide needed income. Proposal is compatible with two family dwellings and a four family dwelling on street.





Z-5631  
22 SPRING VALLEY RD  
(W.R.)  
(ABANDONED) NEW YORK

Board of Appeal Referrals 5/6/82

Hearing: 5/11

Two story structure

Z-5633

Robert M Luke, Trustee  
42-46 Charles Street, Dorchester  
near Geneva Avenue

District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential R-8 local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: change occupancy from garage to furniture warehouse, office, auto repair, truck repair shop, indoor parking for fee

Violation(s):

Section

Change in non conforming use

Last November Authority approved wholesale bakery and similar automotive uses; Board of Appeal concurred. However bakery operation subsequently went out of business.

Proposed purchaser has met with neighborhood to resolve concerns.

Building would be substantially upgraded tending to spur a declining neighborhood. Recommend approval with provisos.

VOTED: In reference to petition Z-5633 brought by Robert M Luke, Trustee, 42-46 Charles Street, Dorchester, for a change in a non conforming use for change of occupancy from garage to furniture warehouse, office, auto repair, truck repair shop and indoor parking for fee in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following provisos: that deliveries not exceed five daily and occur during normal business hours; that delivery vehicles not exceed medium size-six wheels.





Z-5633  
42-46 CHARLES ST.  
(DOR.)

Board of Appeal Referrals 5/6/82

Hearing: 5/11

Vacant land

Z-5635

John Queally

715 East Seventh St, South Boston  
near N Street

District(s): apartment H-1-50 general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: erect three family dwelling

Violation(s):

Section

Lot area, lot width, street frontage, open space, front yard,  
off street parking are insufficient

Floor area ratio is excessive

Proposed dwelling conforms with residential character of neighborhood  
and has its support. Recommend approval.

VOTED: In reference to petition Z-5635 brought by John  
Queally, 715 East Seventh St, South Boston, for  
eight variances to erect a three family dwelling  
in an apartment (H-1-50) district, the Boston  
Redevelopment Authority recommends approval.  
Proposed dwelling conforms with residential character  
of neighborhood and has its support.



715 EAST SEVENTH ST.  
(S. B.)

715 EAST SEVENTH ST.

(S. B.)

Board of Appeal Referrals 5/6/82

Hearing: 5/18

2½ story structure

Z-5636

John F Carey

203-209 Green St, Jamaica Plain  
near Washington St

District(s): apartment \_\_\_\_\_ general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business L-1 waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: change occupancy from tavern and dress factory to restaurant  
with dancing and entertainment and dress factory

Violation(s):  
Section

Restaurant with dancing and entertainment is forbidden use

Proposed forbidden use would be inappropriate and contrary to the  
residential-retail redevelopment plans for the immediate neighborhood.  
Playground and school are located nearby. Recommend denial.

VOTED: In reference to petition Z-5636 brought by John F  
Carey, 203-209 Green Street, Jamaica Plain, for a  
forbidden use for change of occupancy from tavern  
and dress factory to restaurant with dancing and  
entertainment and dress factory in a local business  
(L-1) district, the Boston Redevelopment Authority  
recommends denial. Proposed forbidden use would be  
inappropriate and contrary to the residential-retail  
redevelopment plans for the immediate neighborhood.  
Playground and school are located nearby.





Z-5636

203-209 GREEN ST

(J.P.)

Board of Appeal Referrals 5/6/82

Hearing: 5/18

Z-5637

James J Gaffney  
37 Fenton St, Dorchester  
near Clayton St

2½ story structure

|              |                         |                        |                     |
|--------------|-------------------------|------------------------|---------------------|
| District(s): | apartment _____         | general business _____ | industrial _____    |
|              | residential <u>R-.8</u> | local business _____   | waterfront _____    |
|              | single family _____     |                        | manufacturing _____ |

Purpose: legalize occupancy - three families

Violation(s):  
Section

Dwelling converted for more families which does not meet lot area requirements is forbidden use

Lot area and open space are insufficient

Condition has existed for many years. No objections.

VOTED: In reference to petition Z-5637, brought by James J Gaffney, 37 Fenton St, Dorchester, for a forbidden use and two variances to legalize occupancy for three family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Condition has existed for many years.





Z-5637  
37 FENTON ST.  
(DOR.)



Board of Appeal Referrals 5/6/82

Hearing: 5/18

Three story structures

Z-5638-5639

John R Bianco

65-67 Sullivan St, Charlestown  
near Russell St

District(s): apartment H-1 general business \_\_\_\_\_ industrial \_\_\_\_\_  
residential \_\_\_\_\_ local business \_\_\_\_\_ waterfront \_\_\_\_\_  
single family \_\_\_\_\_ manufacturing \_\_\_\_\_

Purpose: legalize occupancy - two family dwellings

Violation(s):

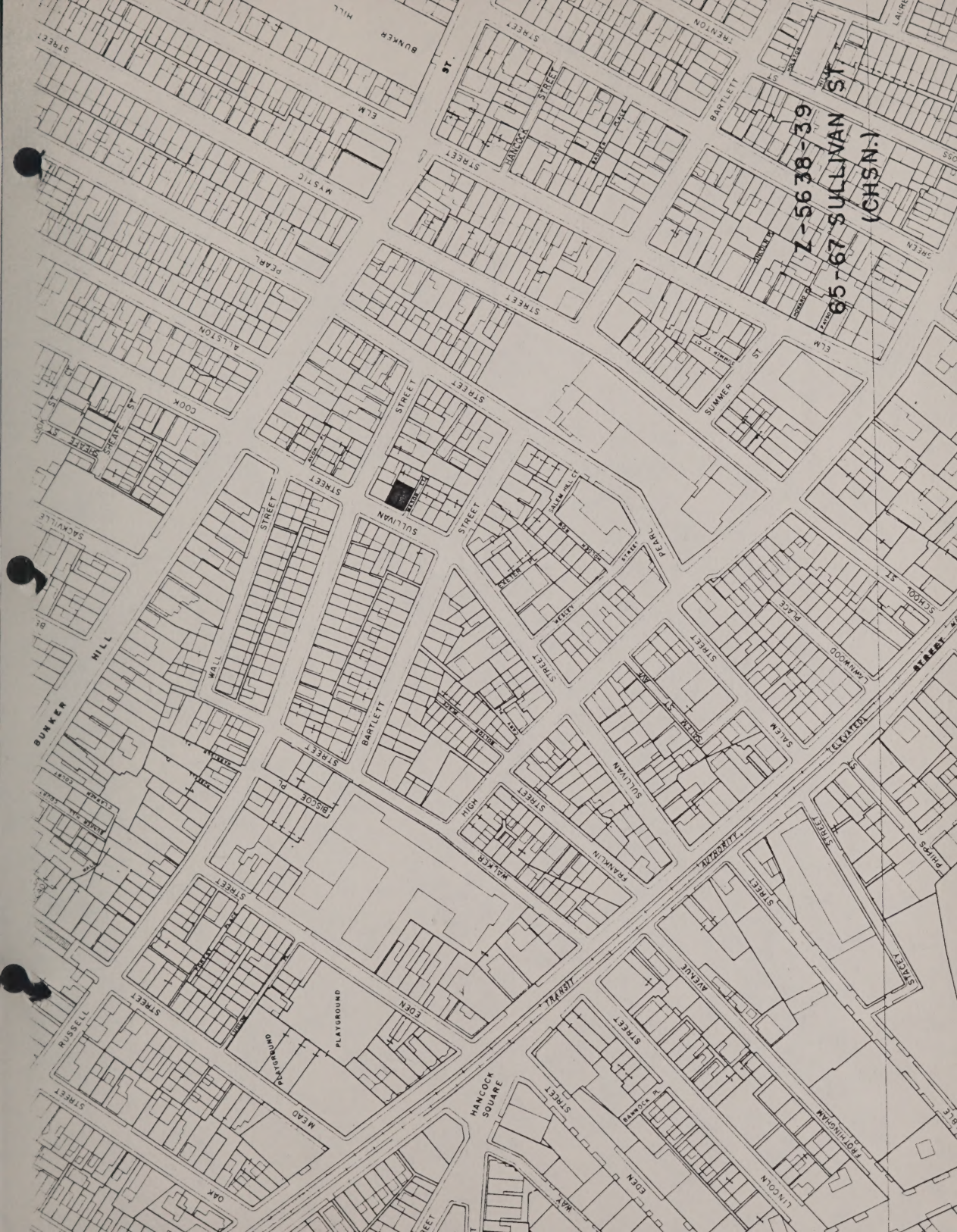
Section

Open space and rear yard are insufficient

No record of legal occupancy in Building Department however assessing records indicate two three family dwellings. Abutters and neighbors support reduced occupancy. Recommend approval.

VOTED: In reference to petitions Z-5638-5639 brought by John R Bianco, 65-67 Sullivan St, Charlestown, for two variances to legalize occupancy of two structures as two family dwellings in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Occupancy consistent with surrounding residential neighborhood. Violations existing.





7-5638-39

65-67 SULLIVAN ST  
(CHSN.)

